

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re: SAVUTH KUHN PENN,

Chapter 7
Bky Case No. 07-31035

Debtor

NOTICE OF HEARING AND MOTION
OBJECTING TO EXEMPT PROPERTY

TO: THE COURT, UNITED STATES TRUSTEE, THE DEBTOR HIS ATTORNEY AND OTHER PARTIES IN INTEREST:

1. Patti J. Sullivan, Trustee of the bankruptcy estate of the above-named debtor moves the court for the relief requested below and gives notice of hearing.

2. The Court will hold a hearing on this motion at 11:30 a.m. on June 19, 2007 in Courtroom No. 7 West, at the United States Court House, 300 S 4th Street, Minneapolis, Minnesota 55415.

3. Any response to this motion must be filed and served by delivery not later than 11:30 a.m. on June 14, 2007, which is three days before the time set for the hearing, (excluding intermediate Saturdays, Sundays, and legal holidays), or filed and served by mail not later than June 11, 2007, which is seven days before the time set for the hearing (excluding intermediate Saturdays, Sundays, and legal holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**

4. This Court has jurisdiction over this motion pursuant to 28 U.S.C. §§157 and 1334, Bankruptcy Rules 4003, 5005, 9013 and 9014, Local Rule 1070-1. This proceeding is a core proceeding. The petition commencing this Chapter 7 case was filed on March 29, 2007. The case is now pending in this Court.

5. This motion arises under 11 U.S.C. §522 and Bankruptcy Rule 4003 and Local Rule 1070-1. This motion is filed under Bankruptcy Rule 9014 and Local Rules 9001-1 to 9006-1 and 9013-1 to 9013-5. Movant requests relief with respect to debtor's claim for exemption.

6. Debtor has claimed as exempt the following assets which the Trustee objects to as follows:

Objection is made to the debtor's claimed exemption for cash on hand in the amount of 200.00, funds on balance as of the date of filing in the U.S. Bank checking and savings accounts and U.S. Federal Credit Union because Minn. Stat. §550.37, subd. 13 does not provide an exemption for cash on hand and funds on deposit in bank accounts.

WHEREFORE, the Trustee moves the Court for an order sustaining Trustee's objection to claimed exempt property and such other relief as may be just and equitable.

Dated this 4th day of June, 2007

/e/ Patti J. Sullivan
Patti J. Sullivan
Trustee in Bankruptcy
Attorney ID No. 170124
P.O. Box 16406
St. Paul, MN 55116
(651) 699-4825

VERIFICATION. I, Patti J. Sullivan, Movant, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Dated this 4th day of June, 2007.

/e/ Patti J. Sullivan
Patti J. Sullivan, Trustee

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In the Matter of:

Savuth Kuhn Penn,

Debtor.

Bky No. 07-31035
Chapter 7

CERTIFICATE OF SERVICE

I, Patti J. Sullivan, hereby certify that a true and correct copy of the attached Notice of Hearing and Motion Objecting to Exempt Property and proposed Order were served electronically or via U.S. First Class Mail, postage pre-paid, to the following on this 4th day of June, 2007:

BY ELECTRONIC E-MAIL ONLY TO:

Craig W. Andresen, Esq.
2001 Killebrew Dr, Ste 330
Bloomington, MN 55425
craigandresen@aol.com

Wells Fargo Bank NA
C/o Tom J. Reiter, Esq.
pam@thomasreiter.com

United States Trustee
1015 United States Courthouse
300 South Fourth Street
Minneapolis, MN 55415
ustpreion12.mn.ecf@usdoj.gov

BY FIRST CLASS MAIL, POSTAGE PREPAID TO:

Savuth Kuhn Penn
6811 - 7th St. N.
Oakdale, MN 55128

/e/Patti J. Sullivan

Patti J. Sullivan

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re: Savuth Kuhn Penn,

Chapter 7
Bky Case No. 07-31035

Debtor.

ORDER

At Minneapolis, Minnesota, June 19, 2007.

Upon the objection to Claimed Exempt Property filed by the trustee and upon all the files and records of the proceedings herein,

IT IS HEREBY ORDERED:

That the Trustee's Objection is sustained, and

1. The Debtor's claimed exemption in the cash on hand in the amount of \$200.00, U.S. Bank: checking and savings accounts, and US Federal Credit Union is disallowed.

Honorable Gregory F. Kishel
Chief United States Bankruptcy Judge